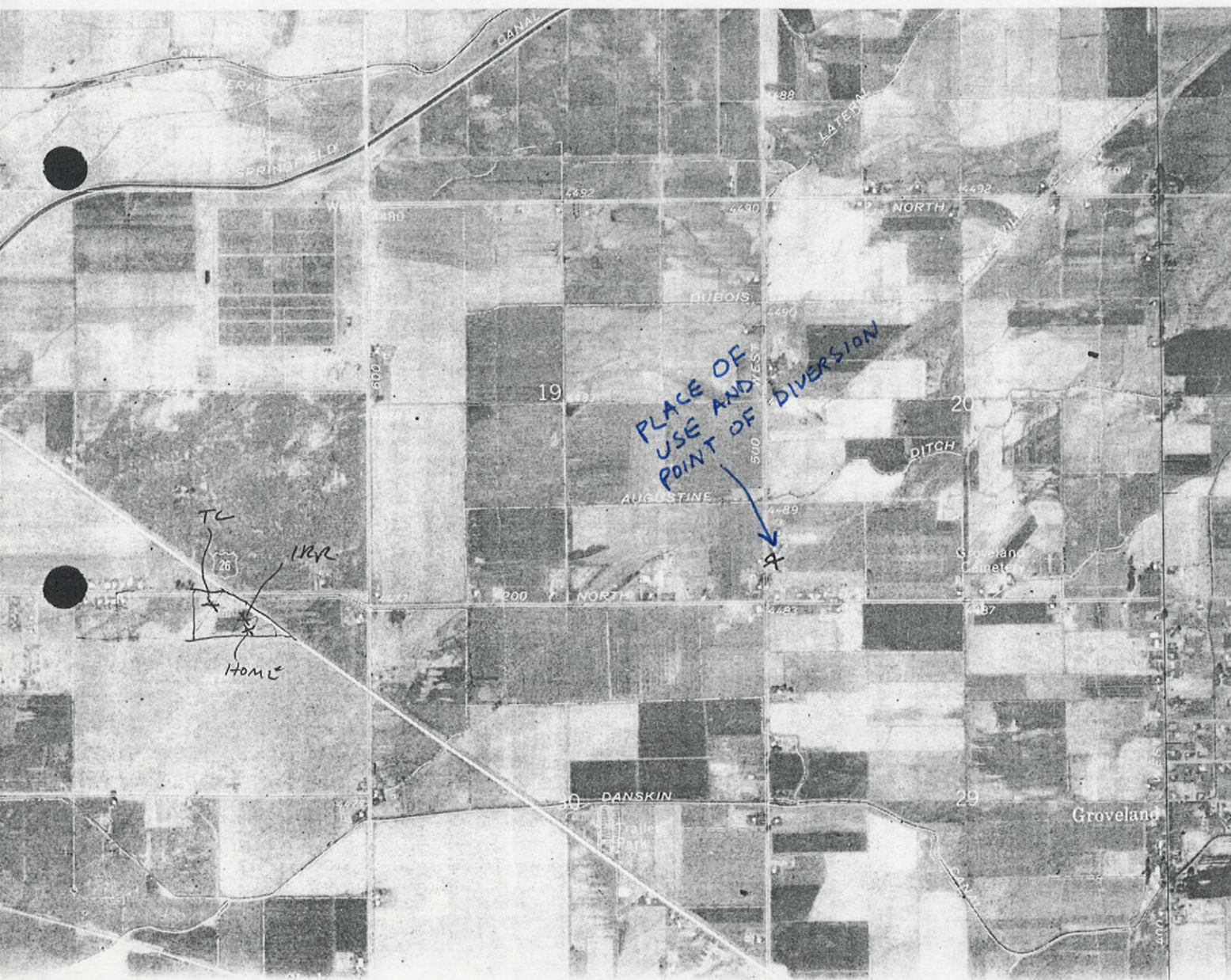




MICROFILMED

SEP 15 1989

570 000
FEET

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 29 1994

Department of Water Resources

A. GENERAL INFORMATION

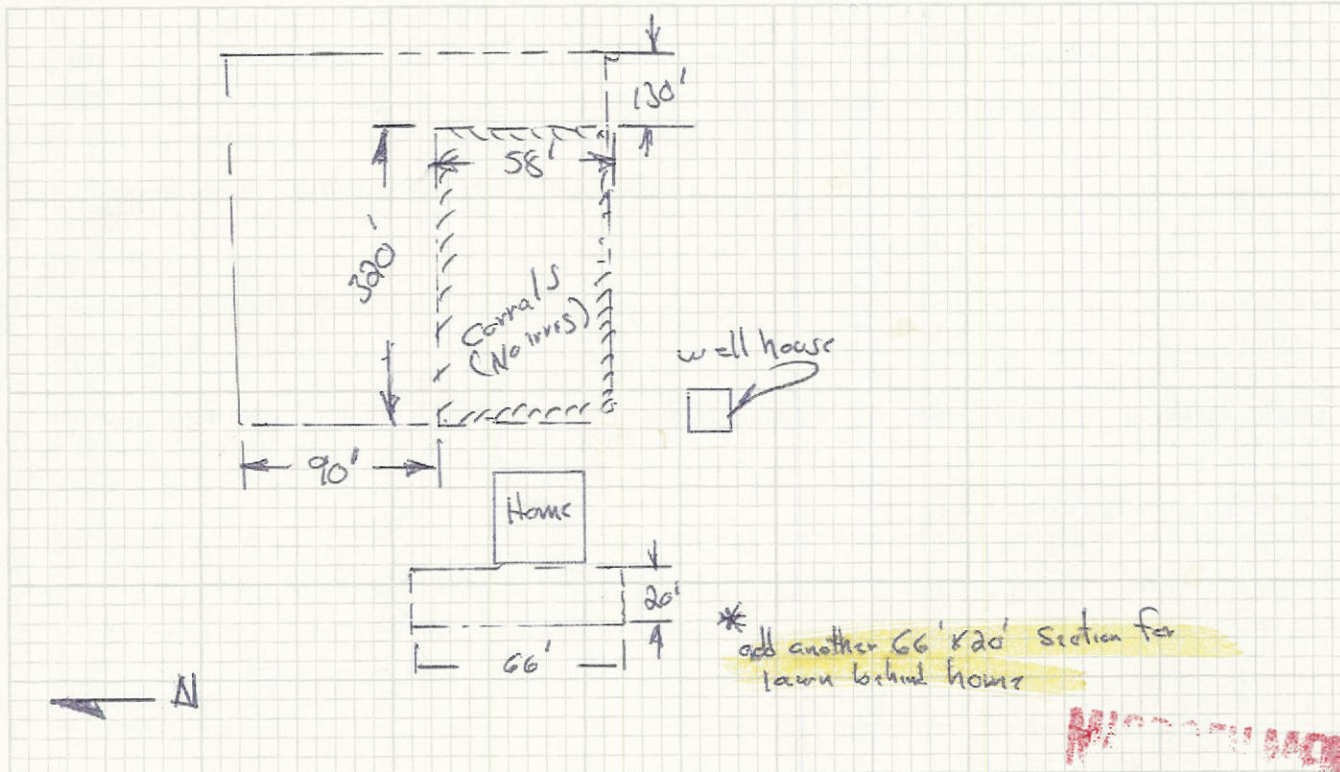
1. Owner: Edward & Deloris Clout Permit No. 35-08357
Current Address: 215 N. 500 W. Blackfoot, ID 83221 Phone No. 785-4987
2. Accompanied by: Applicant EXAM. DATE: 6-18-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: No ☐ Copies Attached
2. Other water rights with same point of diversion: NA ☐ Copies Attached ☐ Copies of Field Exam's Attached

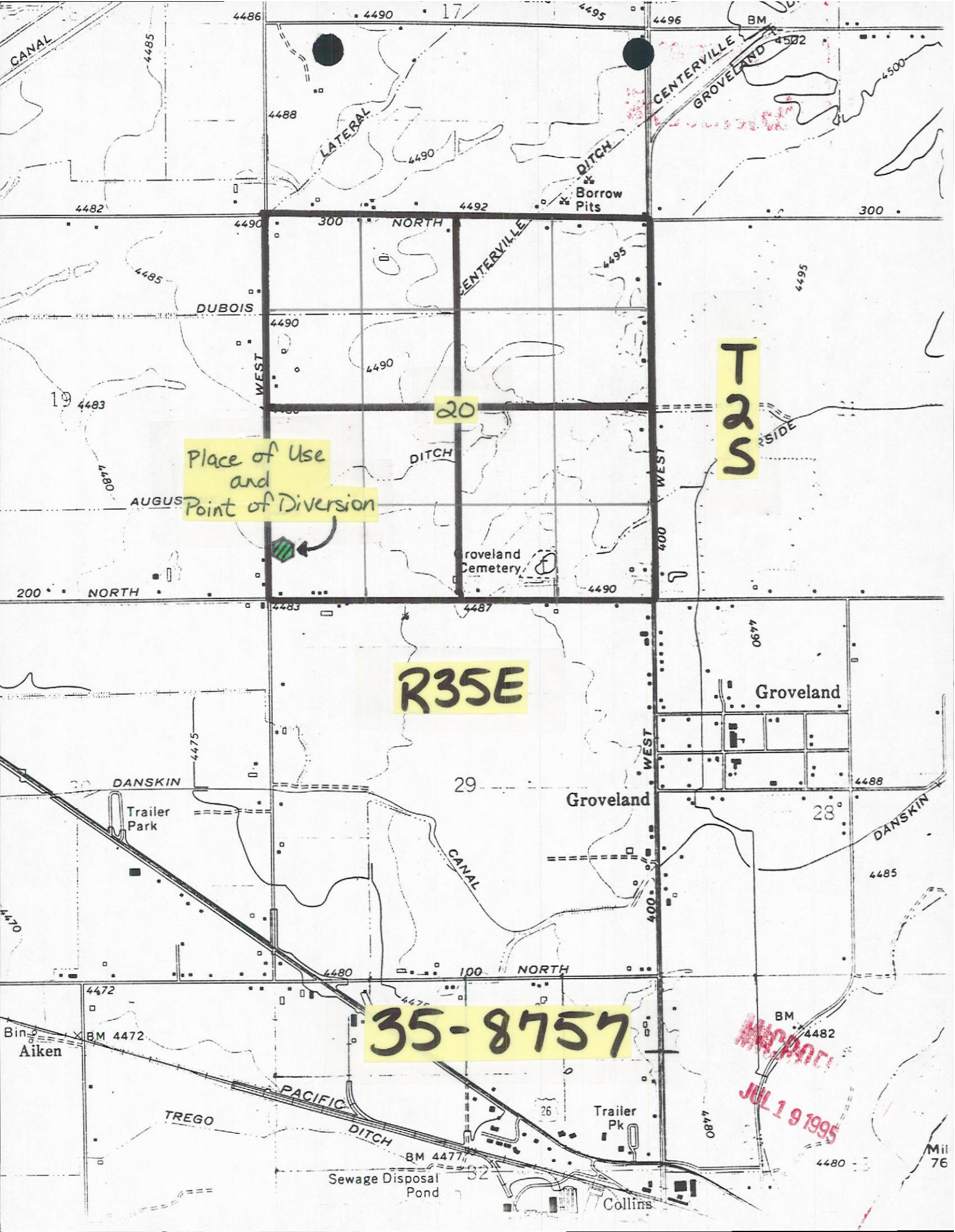
C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).



Place of Use
and
Point of Diversion

T
2
S

R35E

35-8757

JUL 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08757

Priority: April 27, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.8 AF

This is to certify, that EDWARD CLOVIS
DELORUS CLOVIS

215 N 500 W
BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 27, 1989; and has submitted Proof of Beneficial Use on October 26, 1990. An examination indicates that the works have a diversion capacity of 0.090 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.04 CFS	4.8 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 20, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	35E	20	SWSW	1.2		1.2

Total number of acres irrigated: 1.2

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

JUL 19 1995

State of Idaho
Department of Water Resources

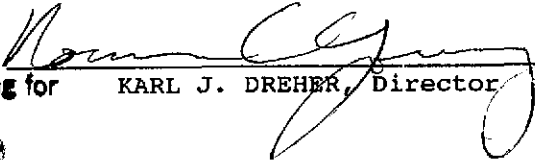
WATER RIGHT LICENSE

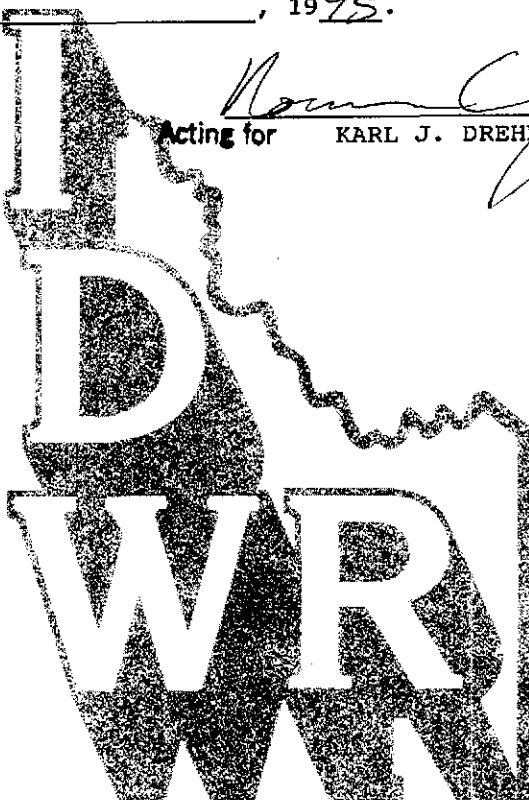
WATER RIGHT NO. 35-08757

CONDITIONS/REMARKS:

7. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 12TH day of JULY, 1995.

Acting for  KARL J. DREHER, Director



JUL 19 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-8757 IN THE
NAME OF EDWARD AND DELORUS CLOVIS

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before October 1, 1990; and,

WHEREAS, Sec. 42-218a, Idaho Code provides that the Department notify a permit holder sixty days prior to the proof due date; and,

WHEREAS, the Department sent notice to the permit holders by certified mail that proof was due with instructions as to the steps to be taken to make said proof; and,

WHEREAS, the proof of beneficial use form and fee were timely received on August 6, 1990 by our Eastern Region of the Department of Water Resources; and,

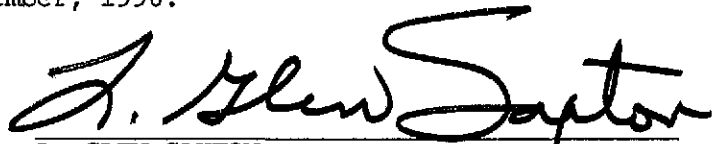
WHEREAS, on October 22, 1990, the department sent the notice of lapsing for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Sec. 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting a timely proof of beneficial use;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-8757 be REINSTATED with no advance in priority.

Dated this 6th day of December, 1990.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

DEC 17 1990

RECEIVED
AUG 13 1990

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 50.00
Date 8-6-90
Receipt No. EO15090
Received by HWT

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08757 Telephone No. 785-4987

Name(s) of Permit Holder(s): Delorus Clovis

Post Office Address: 215 N. 500 W. Blackfoot, ID 83221

Source of Water: Groundwater

If ground water, well driller's name: _____ Date drilled: 1980

Extent of Use:
Domestic _____ (No. of households) Irrigation X(3) (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.09 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: April 27, 1989

One of the following may be a condition of approval of your permit:

Measuring device: Required? ___ Yes X No Installed? ___ Yes X No

OR

Flow Measurement Port: Required? ___ Yes X No Installed? ___ Yes X No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Name See above Telephone No. _____

Address _____

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8-6-90 Date Delorus Clovis Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08757

Proposed Priority: April 27, 1989

Maximum Diversion Rate:

0.09 CFS

This is to certify, that **EDWARD CLOVIS**
DELORUS CLOVIS
215 N. 500 W.
BLACKFOOT, ID 83221

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

0.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSWSW

Sec. 20, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

02S 35E 20

SWSW 3

3

Total number of acres irrigated:

3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

SEP 15 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08757

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

1st day of September, 1989.

for *R. Keith Higginson*
R. Keith Higginson, Director

RECORDED

SEP 15 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Edward or DeLorus Clovie's Phone 785-4987
Post office address 215 N. 500 W. Blackfoot ID 83221
2. Source of water supply GROUNDWATER which is a tributary of -
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot -
Sec. 20 Township 2 S Range 35 E B.M. BINGHAM County; additional
points of diversion if any: -
4. Water will be used for the following purposes:
Amount .09 for IRRIGATION purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount - for - purposes from - to - (both dates inclusive)
(cfs or acre-feet per annum)
Amount - for - purposes from - to - (both dates inclusive)
(cfs or acre-feet per annum)
Amount - for - purposes from - to - (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .09 and/or (b) -
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WELL - 80', 6" CASING
5 HP PUMP
Domestic home associated with well & property
- b. Height of storage dam - feet; active reservoir capacity - acre-feet; total
reservoir capacity - acre-feet; period of year when water will be diverted to storage:
- to - inclusive.
- c. Proposed well diameter is 6" inches; proposed depth of well is 80' feet.
- d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed use is
1 years (minimum 1 year).

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SEP 15 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	35E	20											3						3

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? APPLICANT

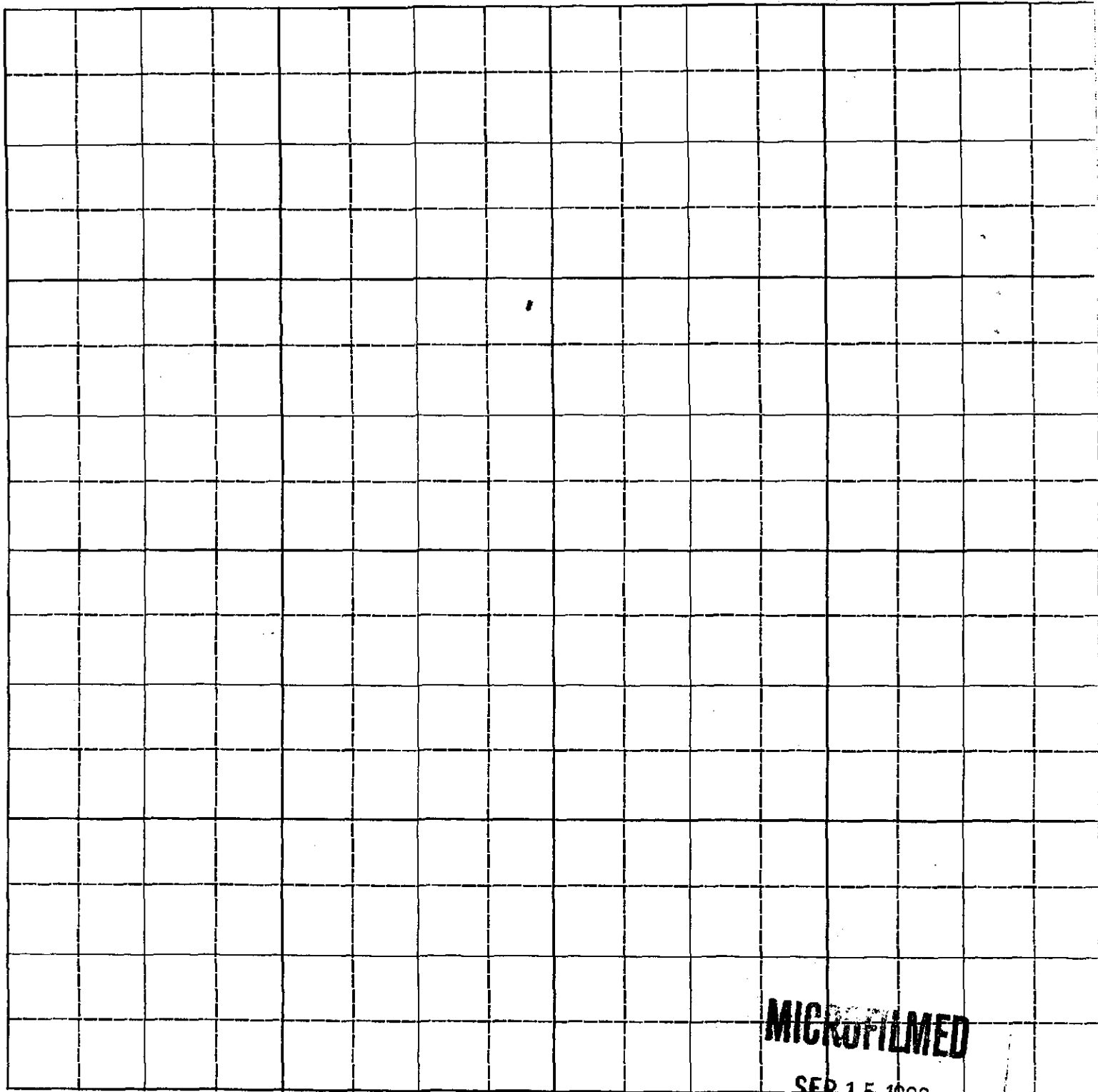
b. Who owns the land to be irrigated or place of use? APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

MICROFILMED

SEP 15 1989



MICROFILMED
SEP 15 1966

MICROFILMED

~~SEP 15 1989~~

DeLora Cross
(Applicant)

(Applicant)

Received by CW Date 4-27-89 Time 1:30p Preliminary check by HWJ
Fee \$ 30⁰⁰ Received by HWJ # E007081 Date 5-2-89
Publication prepared by RB Date 7-6-89 Published in Morning News
Publication approved CW Date 7-24-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED
SEP 15 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 1995

EDWARD CLOVIS
DELORUS CLOVIS
215 N 500 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08757

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

JUL 19 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08757 DATE 7-11-95



NAME Change OK ✓ Or Address Change? _____

PRIORITY DATE ✓ Advance? _____ Advanced to: _____
 Order to reinstate needed? _____
 Incorrect fee for rate recommended? _____

SOURCE ✓ Changes or just clarification of originally intended source? _____
 Notice of Intent to Void necessary? _____

POINT OF DIV ✓ Amendment needed? _____
✓ Overlaps? _____

PLACE OF USE ✓ Amendment needed? _____
✓ Overlaps? _____

DIV RATE ✓ Permit/fee limits: .09CFS / 3 acres
SPRINKLER Meas Q = .09 Theo Q = _____ Recommend: .04
1.2 X .03 = .04
 Combined rates exceed capacity _____

ANNUAL VOLUME ✓ Volume Limit: (NEW) Season 6/4 4-1 to 10-31
 Calculations: 1.2 X 4.0 = 4.8 gf
 Flow limit: _____ cfs x _____ x 1.9835 = _____
 Combined volumes exceed capacity/allowable _____

USES ✓ Change in Nature of Use or additional uses? _____
 Amendment necessary? _____

ADDITIONAL INFO Supplemental Groundwater _____ PPU Scenario _____
 Irr/Dom Combination _____ Shared G/W System _____

NEW REMARKS _____ Multiple p/d(s) in ¼ ¼? _____
 _____ Other _____

NEW CONDITIONS _____ Watermaster control - District _____
 _____ Measuring/Locking Devices _____
RSI Irrigation Overlap _____
 _____ Other Keep NON-TRUST 043 & 049 _____
 _____ Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS: Reduce acres & rate; No mention of any surface water used. Tried to reach the right holder by phone and NO answer.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>.04</u>	<u>4.8</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	<u>✓</u>
_____	_____	_____	1ST AMEND LETTER	_____
_____	_____	_____	2ND AMEND LETTER	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 29 1994

Department of Water Resources

A. GENERAL INFORMATION

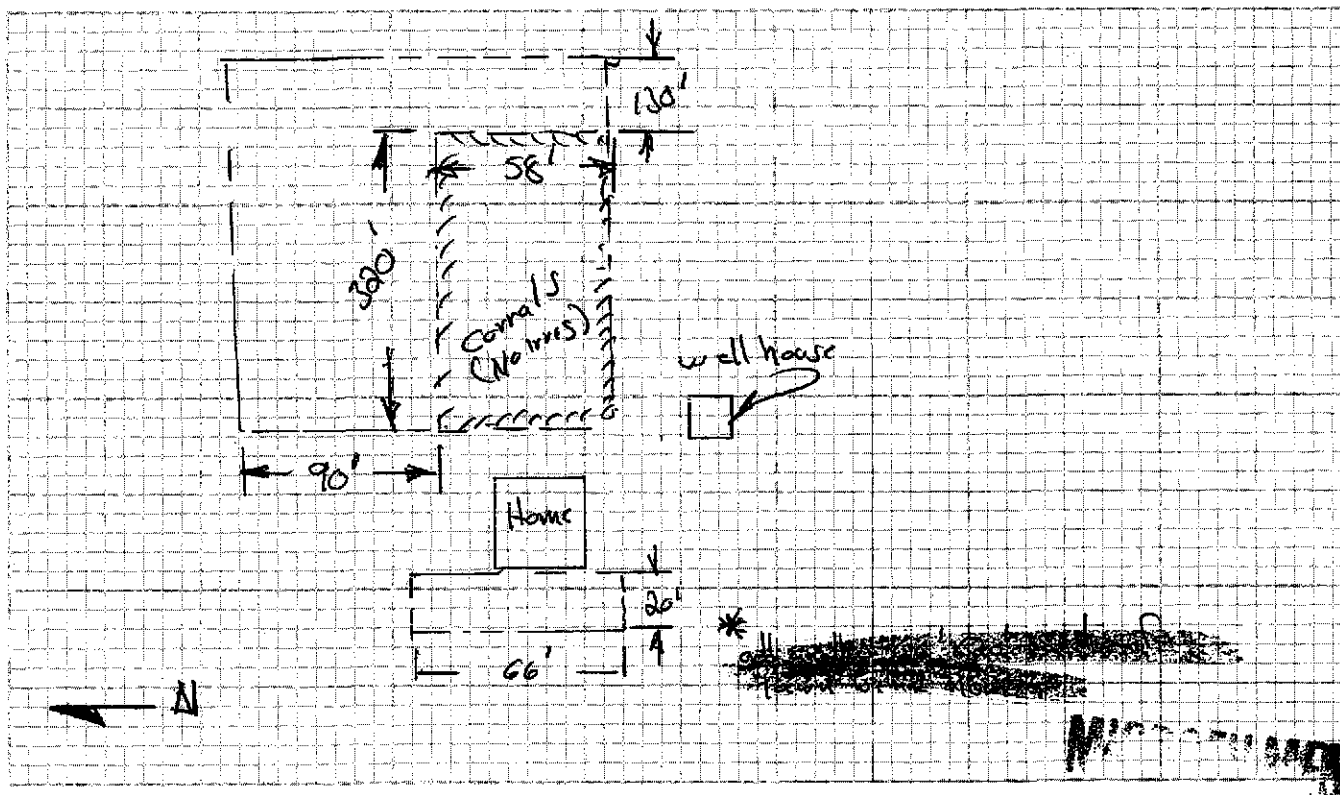
1. Owner: Edward & Delores Clous Permit No. 35-08157
Current Address: 215 N. 500 W. Blackfoot, ID 83221 Phone No. 785-4987
2. Accompanied by: Applicant EXAM. DATE: 6-18-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: No ☐ Copies Attached
2. Other water rights with same point of diversion: N/A ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

JUL 19 1995

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well pump to home & irrig. ground

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submerged	NA	NA			

***Code to correspond with No. on map and aerial photo**

- 5. Point(s) of Diversion:**

[illegible]

- 6. Place(s) of Use:**

Indicate Method of Determination

[illegible]

Do not use this space

Jul 1 1965

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure gage		Ashcroft			6 psi	

2. Measurements:

$\frac{12}{15} \text{ birds}$
 X _____ X $\frac{9}{64}$ Nozzles
 30 psi 30 psi
 $(12)(3.26) = 39.12 \text{ gpm}$
 $39.12 \text{ gpm} / 448.8 = .09 \text{ cfs capacity}$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

* Irrig. ground has
 50,680 sq.
 $\frac{50,680}{43,560} = 1.16 \text{ acres}$
 allow 1.2 acres

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

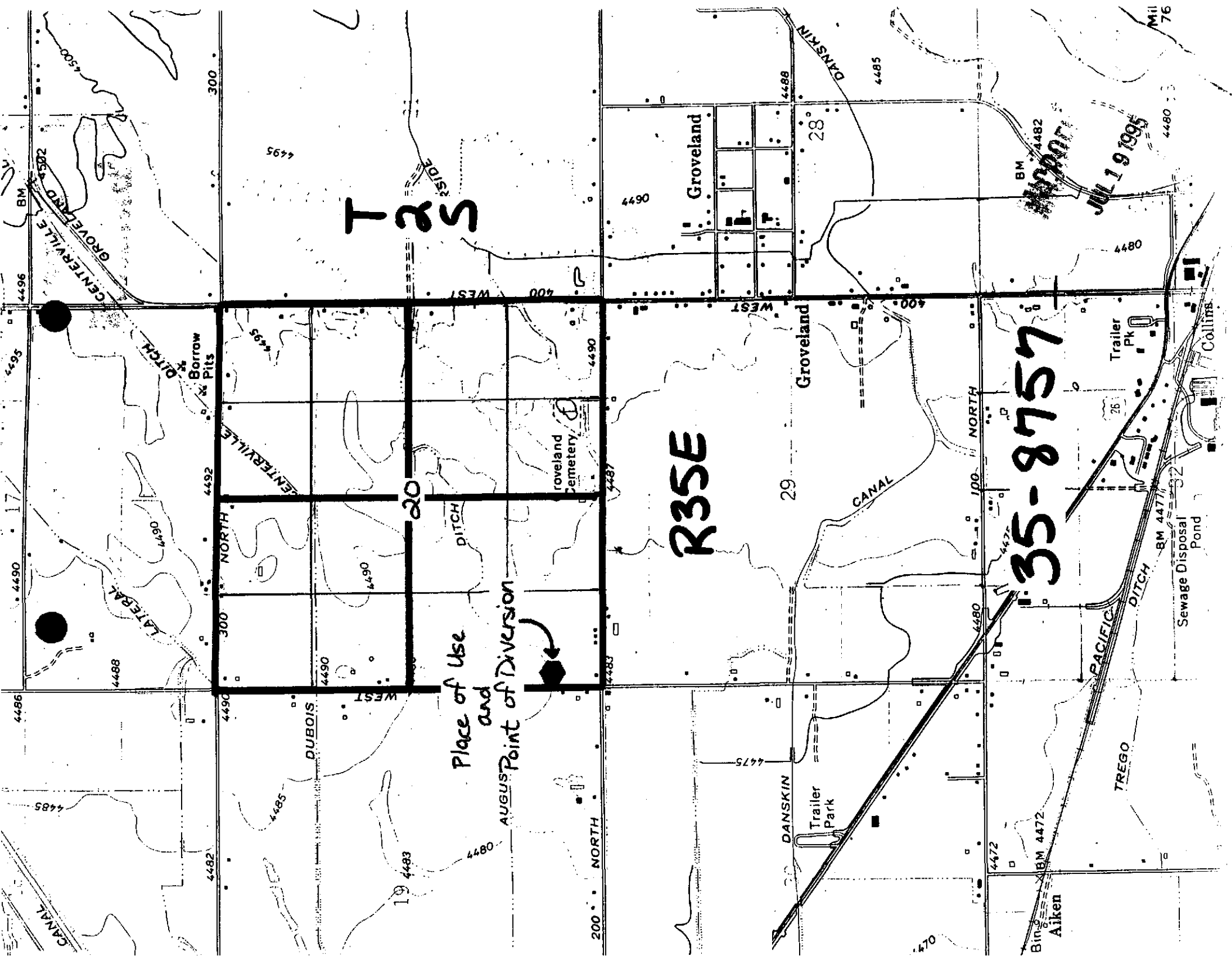
$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.2 \text{ acres} \times 4 \text{ af} = 4.8 \text{ af}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.04)(214)(1.9835) = 16.9$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.8 \text{ af}$

2. Volume Calculations for Other Uses:

JUL 19 1985

[illegible]

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**



December 7, 1990

EDWARD CLOVIS
DELORUS CLOVIS
215 N. 500 W.
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08757

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

DEC 17 1990

RECEIVED

OCT 26 1990

Department of Water Resources

Oct 25, 90

Dept of Water Resources
Attn: Rita Flech

Concerning the Lapse Notice
dated Oct 18, 90.

In talking to Mr. Jones
from the Idaho Falls office, he
informs me you received the
receipt of money, but not the
Proof of Beneficial Use. I am
forwarding another copy to you.
I hope this is all I will
need to do.

Thank You

MICROFILMED

DEC 17 1990

Receipt No: E015090

Date: 08/06/90
Time: 15:14:47

Received
From: CLOVIS, DELORUS

Type of Payment	Program Acct Class	Amount
EXAM FEE- 35-08757	0530121 1238 6490	\$50.00
Total		\$50.00

CHECK 446

Idaho Department of Water Resources

Region: EASTERN

Signature:

MICROFILMED

DEC 17 1990

RECEIVED
OCT 26 1990

Received by HCT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08757 Telephone No. 785-4987

Name(s) of Permit Holder(s): Delorus Clovis

Post Office Address: 215 N. 500 W. Blackfoot, ID 83221

Source of Water: Groundwater

If ground water, well driller's name: _____ Date drilled: 1980

Extent of Use:
Domestic _____ (No. of households) Irrigation X(3) (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.09 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: April 27, 1987

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes X No Installed? Yes X No

OR

Flow Measurement Port: Required? Yes X No Installed? Yes X No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

See above
Name Telephone No.

Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8-6-90
Date

Delorus Clovis
Signature (and title if on behalf of a company or organization)

MICROFILMED
DEC 17 1990

October 18, 1990

EDWARD CLOVIS
DELORUS CLOVIS
215 N. 500 W.
BLACKFOOT, ID 83221

LAPSE NOTICE

RE: PERMIT NO. 35-08757

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

MICROFILMED

DEC 17 1990

CERTIFICATION OF MAILING

I hereby certify that on 10-22-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

138148
July 31, 1990

EDWARD CLOVIS
DELORUS CLOVIS
215 N. 500 W.
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08757

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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DEC 17 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 1, 1989

EDWARD CLOVIS
DELORUS CLOVIS
215 N. 500 W.
BLACKFOOT, ID 83221

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P35-08757

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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SEP 15 1989

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Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MINOR CHANGES

SEP 15 1989

29-Jun-1989

Edward or Delorus Clovis
215 N. 500 W.
Blackfoot, ID 83221

RE: Application for Permit No. 35-8757

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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SEP 15 1989

35-08753

ELLIS, Delwyn V.
 ELLIS, Barbara
 904 W. 200 N.
 Blackfoot, Id. 83221
 Source: GROUNDWATER
 Diversion Pt: SWNW, Sec. 16, T. 02S, R.
 34E.
 Use: STOCKWATER (.440 CFS).
 Date Filed: 5/15/1989.
 In: T02S, R34E, S16. NENW, NWNW,
 SWNW.

35-08754

BENNETT, Clarence F.
 TATE, Frances N.
 393 S. 1500 W.
 Pingree, Idaho 83262
 Source: GROUNDWATER
 Diversion Pt: SWSW, Sec. 22, T. 03S, R.
 33E.
 Use: IRRIGATION (.070 CFS).
 DOMESTIC (.040 CFS).
 Date Filed: 5/10/1989.
 In: T03S, R33E, S22, SWSW.
 2.5 ACRES TOTAL.

35-08755

CLARK, Fredi-Marie
 CLARK, Meredith M.
 78 N. 950 W.
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: SENENW, Sec. 33, T. 02S, R.
 34E.
 Use: IRRIGATION (.090 CFS).
 STOCKWATER (.020 CFS).
 DOMESTIC (.040 CFS).
 Date Filed: 5/10/1989.
 In: T02S, R34E, S33, NENW.
 3.0 ACRES TOTAL.

35-08757

CLOVIS, Edward
 CLOVIS, Delorus
 215 N. 500 W.
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: SWSWSW, Sec. 20, T. 02S,
 R. 35E.
 Use: IRRIGATION (.090 CFS).
 Date Filed: 6/23/1989.
 In: T02S, R35E, S20, SWSW.
 3.0 ACRES TOTAL.

35-08760

LEAVITT, Dennis
 LEAVITT, Kenea
 220 N. 740 W.
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: NWNENE, Sec. 11, T. 02S, R.
 34E.
 Use: COMMERCIAL (.020 CFS).
 Date Filed: 5/08/1989.
 In: T02S, R34E, S11, NENE.

The permit(s) will be subject to all prior
 water rights. Protests may be submitted bas-
 ed on the criteria of Sec. 42-203A, Idaho Code
 and/or the new public interest criteria of Sec.
 42-203C, Idaho Code. Protests must be filed
 with the Director, Dept. of Water Resources,
 150 Shoup Ave., Suite 15, Idaho Falls, Idaho,
 83402 on or before JULY 24, 1989.

R. KEITH HIGGINSON
 Director

(454)
 Pub.: 7/6, 13

RECEIVED

JUL 20 1989

Department of Water Resources
 Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho Michael Bell)

I, do
solemnly

swear that I am the Publisher of
 The Morning News which is a daily newspaper of
 general circulation published each day except Sunday
 at Blackfoot, Bingham County, Idaho, said newspaper
 having been so published at Blackfoot, aforesaid for
 more than one year past; that said newspaper
 heretofore complied with all the provisions of Chapter
 154 of the Sessions Laws of Idaho of 1933, approved
 March 11, 1933, and duly designated, pursuant to law,
 a particular day of the week as the day on which legal
 notices required by law or by the order of any Court of
 competent jurisdiction within the State of
 Idaho shall be published to-wit: of each week; that the
 notice attached hereto and which is a part of this af-
 fidavit and part of the proof of publication was
 published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the
6th day of July, 1989;

and the last publication having been made on the
13th day of July, 1989;
 that said notice was published in the regular and entire
 issue of every number of the paper as aforesaid during
 the period and time of publication, and that notice was
 published in the newspaper and not in a supplement.

On this 17th day of July,
 in the year 1989, before me a Notary Public of said State,
 personally appeared

[Signature]
 known or identified to me to be the person whose
 name is subscribed to the within instrument, and being
 by me first duly sworn, declared that the statements
 therein are true, and acknowledged to me that he ex-
 ecuted the same.

[Signature]
 Notary Public for the State of Idaho,
 Residing at Blackfoot, Idaho
 My commission expires
 November 10, 1994

Affidavit Processing Fee \$5.00

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SEP 15 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 27, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 24, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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SEP 15 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed appropriate the public waters of the State of Idaho:

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SEP 15 1989

35-08757

CLOVIS, EDWARD
CLOVIS, DELORUS
215 N. 500 W.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: SWSWSW Sec 20 T 02S R 35E

Use: IRRIGATION (.090 CFS)

Date Filed: 6/23/1989

In: T02S R35E S20 SWSW

3.0 ACRES TOTAL

MICROFILMED

SEP 15 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JULY 24, 1989.

R. Keith Higginson, Director

Published 7/06/1989 & 7/13/1989

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SEP 15 1989